

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MARCELLOUS WALKER, PAUL
CARBONNEAU, KENNEDY WILLIAMS,
SHAWDARE THOMAS and on behalf
of all other persons similarly situated,

ORDER

Petitioners,

08-cv-233-bbc

v.

STATE OF WISCONSIN, JAMES DOYLE,
Governor, JOHN VOELKER, Director of
State Courts, JOHN AND JANE DOE and
all other persons, officers, agents, servants,
employees, agencies or political subdivisions,
their successors and predecessors, who or which
have and/or are aiding, abetting, assisting, acting
in active concert, or cooperating with them, et al.,

Respondents.

In response to an order entered in this case on April 25, 2008, petitioners Paul Carbonneau, Kennedy Williams and Shawdare Thomas have submitted resident account statements for the six-month period immediately preceding the filing of their complaint. (In the same order, I reviewed the resident account statement for petitioner Marcelleous Walker and determined that he does not have the means to prepay any portion of the \$350 fee for

filing this group action.) From these statements, I conclude that petitioners Carbonneau, Williams and Thomas have the means to prepay a portion of the filing fee in the following amounts: 1) Paul Carbonneau must pay \$21.75; 2) Kennedy Williams must pay \$8.87; and 3) Shawdare Thomas must pay \$6.78. Petitioners are reminded that paying the amounts I have determined they are able to prepay is just the first step in obtaining leave to proceed in forma pauperis under 28 U.S.C. § 1915. After the court receives their payments, I will take petitioners' complaint under advisement for a determination under § 1915(e)(2) whether their action or any portion of it must be dismissed as frivolous or malicious, for failure to state a claim on which relief may be granted or because petitioners seek monetary relief against a defendant who is immune from such relief.

ORDER

IT IS ORDERED that

1. Petitioner Paul Carbonneau qualifies financially for pauper status on the condition that he prepay \$21.75 of the \$350 filing fee. He is to submit a check or money order made payable to the clerk of court in that amount on or before June 11, 2008. If, by June 11, 2008, petitioner Carbonneau fails to prepay the amount he has been ordered to pay, I will dismiss him from the case for his failure to prosecute it.

2. Petitioner Kennedy Williams qualifies financially for pauper status on the condition that he prepay \$8.87 of the \$350 filing fee. He is to submit a check or money order made payable to the clerk of court in that amount on or before June 11, 2008. If, by June 11, 2008, petitioner Williams fails to prepay the amount he has been ordered to pay, I will dismiss him from the case for his failure to prosecute it.
3. Petitioner Shawdare Thomas qualifies financially for pauper status on the condition that he prepay \$6.78 of the \$350 filing fee. He is to submit a check or money order made payable to the clerk of court in that amount on or before June 11, 2008. If, by June 11, 2008, petitioner Thomas fails to prepay the amount he has been ordered to pay, I will dismiss him from the case for his failure to prosecute it.

Entered this 21st day of May, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge